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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/15/2021

MEMORANDUM ENDORSED

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THE CITY OF NEW YORK
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March 15, 2021

BY ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Samuel Orimogunje v. City of New York, et al.,
21-CV-1325 (GHW) (RWL)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney representing defendant City of New York (hereinafter “Defendant City”) in the above-referenced matter. Defendant City writes to respectfully request a forty-five day (45) enlargement of time, from March 16, 2021 to April 30, 2021, to answer or otherwise respond to the complaint. Plaintiff’s counsel, Samuel O. Maduegbuna, consents to this request. This is Defendant City’s first request for an enlargement of time. A due date of April 13, 2021 has been set for a joint letter and proposed case management plan. (ECF No. 9). Additionally, an Initial Pretrial Conference has been scheduled for April 20, 2021. (Id.). However, said dates should be adjourned to a date beyond the requested enlargement for the reasons set forth in this correspondence.

Plaintiff filed the complaint in this action on February 15, 2021, alleging, *inter alia*, that he was subjected to discrimination on the basis of age in violation of the Age Discrimination in Employment Act (“ADEA”) (ECF No. 1). Plaintiff served Defendant City on February 23, 2021.¹ Therefore, assuming proper service, any response to the complaint would be due on March 16, 2021 for Defendant City.² However, before Defendant City can respond to the complaint, and in accordance with Defendant City’s obligations under Rule 11 of the Federal Rules of Civil Procedure, this Office needs additional time to investigate the allegations set forth by the plaintiff and, to the extent any investigation was conducted, review the relevant documents associated with the allegations.

¹ Plaintiff has yet to file an affidavit of service.

² Plaintiff’s counsel states that as of March 12, 2021, the individually-named defendants have not been served.

Accordingly, Defendant City of New York respectfully requests an enlargement of time until April 30, 2021 to answer or otherwise respond to the complaint.

Thank you for your consideration herein.

Respectfully submitted,

Nicholas L. Collins

Assistant Corporation Counsel

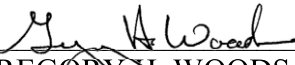
cc: **BY ECF**
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Application granted. The deadline for defendant City of New York to answer or otherwise respond to the complaint is extended to April 30, 2021. The initial pretrial conference scheduled for April 20, 2021 is adjourned to May 27, 2021 at 4:00 p.m. The conference will be conducted by telephone. The parties are directed to the Court's Emergency Rules in Light of COVID-19, which are available on the Court's website, for the dial-in number and other relevant instructions. The parties are specifically directed to comply with Rule 2(C) of the Court's Emergency Rules. The joint letter and proposed case management plan referenced in the Court's February 16, 2021 order, Dkt. No. 9, are due no later than May 20, 2021.

Plaintiff's counsel is directed to mail a copy of this order to defendants Iris Rodriguez and Arlene Adekoya and to retain proof of service.

SO ORDERED.

Dated: March 15, 2021
New York, New York



GREGORY H. WOODS
United States District Judge